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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,425	07/31/2001	Shrikant Jannu	1540 (4000-02000)	4223
28003	7590	09/23/2005	EXAMINER	
SPRINT			BLAIR, DOUGLAS B	
6391 SPRINT PARKWAY				
KSOPHT0101-Z2100			ART UNIT	
OVERLAND PARK, KS 66251-2100			PAPER NUMBER	
			2142	
DATE MAILED: 09/23/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/919,425

Applicant(s)

JANNU ET AL.

Examiner

Douglas B. Blair

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 12-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 12-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Claims 1-7 and 12-34 are now pending in this application. The 112 1st paragraph rejection has been withdrawn in light of the applicant's remarks.

Double Patenting

2. A provisional grounds of rejection was presented in the last office action. Should the grounds become formal, the Terminal Disclaimer discussed by the applicant in the applicant's remarks would overcome this rejection.

Drawings

3. The new and replacement drawings are accepted by the examiner.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,772,413 to Kuznestov.

Art Unit: 2142

6. As to claim 1, Kustenov teaches a method for adapting the format of a message, comprising: mapping a plurality of fields in a first message having a first native message format with corresponding fields in a first structured event message in a structured event format (col. 12, lines 39-55); mapping a plurality of fields in a second message having a second native message format with corresponding fields in a second structured event message the structured event format (col. 10, line 47-col. 11, line 6).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2-7 and 12-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,772,413 to Kuznestov.

9. Kusnestov teaches the invention substantially as claimed (as in exemplary claim 32) including a method for brokering messages between middleware system comprising: communicating a message from a mainframe system in a first legacy format (col. 3, lines 30-54); mapping the message in the first legacy format onto fields of a structured event format (col. 12, lines 39-55); communicating the message converted from the first legacy format to a structured event format to a middleware brokering system (col. 10, line 47-col. 11, line 6); mapping a second type of message onto the fields in a structured event format (col. 7, line 55-col. 8, line 7); communicating the message converted from the second format to the structured event format to

Art Unit: 2142

the middleware brokering system (col. 12, lines 39-55); communicating a message from a third system in structured event format to the middleware brokering system (col. 10, line 47-col. 11, line 6); using the middleware broker to determine the destination for each of the messages from the three systems (col. 7, line 55-col. 8, line 7); and directing each of the messages to the appropriate one of the three systems (col. 7, line 55-col. 8, line 7); however, Kusnestov does not explicitly teach the first legacy format being Cobol copybook, the second type of message being a JMS message, and the third message being from a CORBA system.

Kusnestov teaches that the invention can be used of a large number of different platforms (col. 3, line 33). Cobol copybook, JMS, and CORBA are all well known platforms (It is noted that the applicant's specification does not provide any specific details for translating between any of the above mentioned formats, but rather teaches a generic paradigm for converting between formats).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Kusnestov regarding a system for transforming between multiple middleware system with Cobol copybook, JMS and CORBA because they represent platforms that could be used in Kusnestov's invention (col. 3, line 33).

10. As to claim 33, Kusnestov teaches the conversion from one platform to another (col. 10, line 47-col. 11, line 6).

11. As to claim 34, Kusnestov teaches registering each of the message with a publish/subscribe engine and brokering the three message formats (col. 7, line 23-41).

12. As to claim 2, it is made obvious for reasons pointed out in the rejection of claim 32.

Art Unit: 2142

13. As to claims 3-7 and 12-18, for reasons pointed out in the rejection of claim 2 the use of a JMS format would have been obvious and the claimed formats are inherent to a JMS system.

14. As to claims 19-20, it is made obvious for reasons pointed out in the rejection of claim 32.

15. As to claims 21-31, the claimed formats are inherent to a COBOL copybook system.

Response to Arguments

16. Applicant's arguments with respect to claims 1-7 and 12-34 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Art Unit: 2142

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B. Blair whose telephone number is 571-272-3893. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Douglas Blair


ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER